

EXHIBIT "D"

William Rhodunda

From: Eugene Lawson [lawson@fhhlaw.com]
Sent: Wednesday, July 27, 2005 11:01 AM
To: William Rhodunda; wspeakmanbsbc@comcast.net
Cc: stucker@wolfblock.com; tschiltz@wolfblock.com
Subject: Status

Gentlemen:

I just want to confirm our understanding after the hearing yesterday concerning the suggestion by Judge Jordan that we reach an accommodation on at least some of the issues regarding placement of signs. I informed you that our clients would very much like to comply to the extent possible with the City's current position concerning signs until we get a decision from the court. We discussed that Mr. Ferrese explained to the court about the "rule of thumb" for determining whether or not a sign was in the right of way but that his rule was not entirely consistent with those of Mr. Onizuk and Mr. Murphy whose rules articulated in the depositions also were not entirely consistent with each other. I suggested to Bill that you supply us with a written version of the City's position concerning the rule of thumb as soon as possible and we would convene our clients to review it and see if we can both move forward toward the election with objective criteria regarding sign placement for the sake of the candidates and the enforcers. We would appreciate receiving that written compilation of the rule as soon as possible.

I also recall that Walt suggested to the court that we provide a status letter on these negotiations. Because of the exigent nature of these matters, I suggest we wait until this afternoon to provide the first status report which will hopefully explain that we have begun or finished the negotiation of criteria for sign placement to be used at least temporarily. I look forward to hearing from you.

Gene

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